

1614

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jan Adrianus VERSCHOOR, et al
Serial No.: 09/696,605 Group No.: 1614
Filed: October 25, 2000 Examiner.: Kevin E. Weddington
For: COMPOSITION COMPRISING A CARRIER AND A PURIFIED
MYCOBACTERIAL LIPID CELL-WALL COMPONENT AND ITS USE IN THE
PREVENTION, TREATMENT AND DIAGNOSIS OF DISEASE

Attorney Docket No.: U 013022-9

Commissioner for Patents
Washington, D.C. 20231

THIRD REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

This is Applicants' third request to withdraw the holding of abandonment in
this matter. Copies of the first Request dated July 8, 2003 and the Renewed Request

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

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37 C.F.R. 1.8(a)

37 C.F.R. 1.10*

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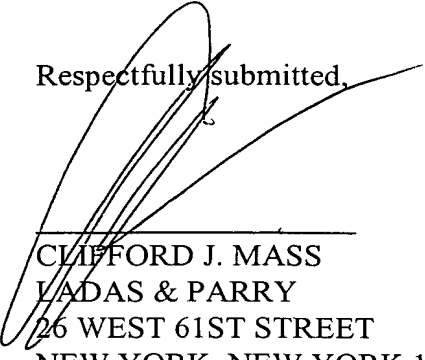
CLIFFORD J. MASS

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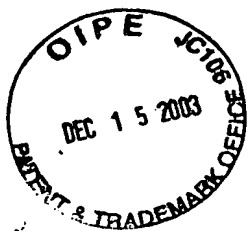
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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label
thereon is an oversight that can be avoided by the exercise of reasonable care, requests for
waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed.
Reg. 56,439, at 56,442.

dated October 17, 2003 are submitted herewith along with their postcard receipts. To date no response to these requests has been received. Applicants urgently request action on their request to withdraw the holding of abandonment in this matter for the reasons set forth in the Request of July 8, 2003 (see copy enclosed).

Respectfully submitted,



CLIFFORD J. MASS
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NEW YORK, NEW YORK 10023
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RENEWED REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

Applicants renew their request for withdrawal of the holding of abandonment
in this matter for the reasons set forth in the Request to Withdraw Holding of

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

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Date: October 17, 2003

Signature

CLIFFORD J. MASS

(type or print name of person certifying)

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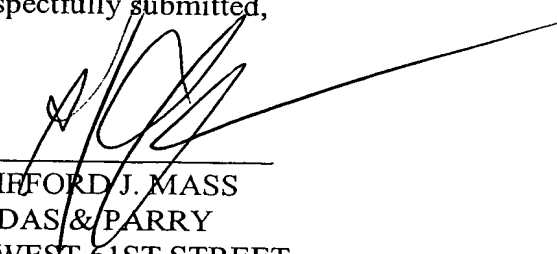
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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

Abandonment filed July 8, 2003 (see copy of postcard receipt submitted herewith).

To date, no action has been taken on Applicants request.

An early and favorable consideration of Applicants request to withdraw the holding of abandonment is respectfully requested.

Respectfully submitted,



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REG. NO. 30,086(212)708-1890



U 013022-9

October 17, 2003

In re application of: Jan Adrianus VERSCHOOR, et al

Serial No.: 09/696,605

Group No.: 1614

Filed: October 25, 2000

Examiner.: Kevin E. Weddington

For: COMPOSITION COMPRISING A CARRIER AND A PURIFIED
MYCOBACTERIAL LIPID CELL-WALL COMPONENT AND ITS USE
IN THE PREVENTION, TREATMENT AND DIAGNOSIS OF DISEASE

AMENDMENT TRANSMITTAL: RENEWED REQUEST TO WITHDRAW HOLDING
OF ABANDONMENT: REQUEST TO WITHDRAW HOLDING OF ABANDONMENT:
JULY 8, 2003 POST CARD

Filed: _____
CJM/bds





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Serial No.: 09/696,605 Group No.: 1614
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Attorney Docket No.: U 013022-9

Commissioner for Patents
Washington, D.C. 20231

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

Applicants request withdrawal of the holding of abandonment mailed January 10, 2003 under 37 CFR 1.181 as being improper. The notice of abandonment mailed

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

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TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: July 8, 2003

Signature

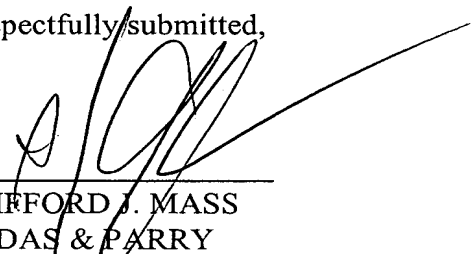
CLIFFORD J. MASS

(type or print name of person certifying)

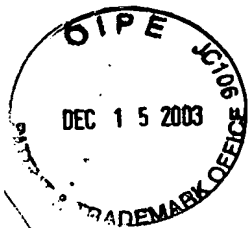
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January 10, 2003 states that the proposed new formal drawings filed September 12, 2002 are not acceptable. However, Applicants were only advised of the unacceptability of the drawings by an Official Communication mailed October 18, 2002, which included a Form PTO 948 Notice of Draftsperson's Patent Drawing Review which stated in pertinent part: "The Examiner will require submission of new, corrected drawings **when necessary**" (emphasis added). Applicants never received a notification setting a term for submitting new, corrected drawings, but instead received a notice of abandonment. Under the circumstances, and in view of the Notice mailed October 18, 2002, which appeared to indicate that a term would be set for submission of new, corrected drawings, it is respectfully submitted that the abandonment was premature and should be withdrawn.

Respectfully submitted,



CLIFFORD J. MASS
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NEW YORK, NEW YORK 10023
REG. NO.30,086(212)708-1890



U 013022-9

July 8, 2003

In re application of: Jan Adrianus VERSCHOOR, et al

Serial No.: 09/696,605

Group No.: 1614

Filed: October 25, 2000

Examiner.: Kevin E. Weddington

For: COMPOSITION COMPRISING A CARRIER AND A PURIFIED
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AMENDMENT TRANSMITTAL: REQUEST TO WITHDRAW HOLDING
OF ABANDONMENT

Filed: _____
CJM/bds

